

NO. PD-0881-20

**IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
4/9/2021
DEANA WILLIAMSON, CLERK

CRYSTAL MASON,

Appellant,

V.

STATE OF TEXAS,

Appellee.

**From the Second Court of Appeals,
Cause No. 02-18-00138-CR**

**Trial Court Cause No. 148710D
From the 432nd District Court of Tarrant County, Texas
The Honorable Ruben Gonzalez, Jr. Presiding**

**MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S
BRIEF ON THE MERITS**

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:

Pursuant to Texas Rule of Appellate Procedure 10.5 (b) (1), Crystal Mason, Appellant, respectfully requests that this Court grant a 32-day extension of time to file her Petition for Discretionary Review, making her motion due June 1, 2021. In support of this Motion, Ms. Mason shows the Court the following:

1. The cause number for this case from the Second Court of Appeals is 02-18-00138-CR, styled *Crystal Mason v. State of Texas*. The trial court case number was D432-1485710-00, styled *State of Texas v. Crystal Mason*, in the 432nd District

Court of Tarrant County, Texas.

2. The Court of Criminal Appeals granted Appellant's Petition for Discretionary Review on March 31, 2021.

3. Appellant's brief on the merits in this case is due to be filed in this Court on or before April 30, 2021.

4. Appellant hereby requests an extension of 32 days to file her brief. The Appellant asks for a 32-day extension because 30 days from April 30, 2021 is a Sunday and the following day, Monday, May 31, 2021, is Memorial Day. 32 days from April 30, 2021 is June 1, 2021.

5. This Motion is not being filed for purposes of delay, but only so that justice may be done. This case raises important issues of first impression regarding the meaning and scope of Texas's Illegal Voting statute and its interaction with the Federal Help America Vote Act. In order to adequately present these issues to the Court, Counsel requires additional time to file Appellant's Brief on the Merits.

6. This extension is necessitated by the press of other matters, including obligations by Counsel for the Appellant in the following other cases: *Garza et al. v. Starr County et al.*, 7:18-cv-00046 (S.D.Tex) (status conference April 16, 2021); *Common Cause v. Hollis*, Nos. 20-2815, 20-2815 (7th Cir.) (oral argument April 22, 2021); *Sanchez v. Dallas County Sheriff*, 3:20-cv-832 (N.D.Tex.) (summary judgement due April 27, 2021; depositions and fact discovery ongoing; trial set to

begin on May 25, 2021); *Stringer et al. v. Hughs et al.*, 5:20-cv-00046-OLG (W.D.Tex.) (status conference, May 5, 2021). Further, with the Texas Legislature currently in session, Appellant's attorneys will be participating in bill analysis and public education on legislative issues.

7. This is Appellant's first request for an extension of time to file this brief.

8. Ms. Mason is out on bond pending appeal.

PRAYER

For the foregoing reasons, Ms. Mason respectfully asks the Court to grant this Motion and extend the deadline for her brief by 32 days, to and including June 1, 2021.

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Respectfully submitted,

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*Counsel for Appellant,
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**pro hac vice applications
forthcoming*

CERTIFICATE OF SERVICE

In accordance with the Texas Rules of Appellate Procedure, I hereby certify that a true and correct copy of this Motion has been served on counsel of record and the State Prosecuting Attorney via e-service on April 9, 2021.

/s/ Thomas Buser-Clancy
Thomas Buser-Clancy

Automated Certificate of eService

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